



DEPARTMENT OF VETERANS AFFAIRS

**Santa Fe National Cemetery
501 North Guadalupe Street
Santa Fe, NM 87501
505-988-6400**

December 3, 2018

Ed McBride
1380 Rio Rancho Blvd. SE #165
Rio Rancho, NM 87124

RE: Limited Access Order Santa Fe National Cemetery

Dear Mr. McBride,

On September 7, 2018, two employees of the Department of Veterans Affairs (VA) reported you had inappropriate contact with a Santa Fe National Cemetery (SFNC) Representative following a committal service. She reported that you shook her hand with an inappropriately tight grip, which you did not release until you had verbally chastised her. Her hand hurt and she felt assaulted and intimidated by your behavior. Your actions may have violated 28 C.F.R. § 1.218(a)(5) and New Mexico law.

I reported your actions to the Santa Fe Police Department that day. The police officer recommended that I deliver a "No Trespass Order" to you, which would bar you from SFNC property. As the SFNC Director, I am responsible for maintaining good order on cemetery property to ensure that VA fulfills its mission to our Nation's Veterans. Therefore, I have authority to bar or limit the access of individuals to the national cemetery when their behavior is disruptive or interferes with cemetery operations. Failure to comply with a Limited Access or Bar Order "constitutes a further disturbance within the meaning of this rule, and the offender is subject to arrest and removal from the premises." 38 C.F.R. § 1.218(a)(5).

Rather than immediately issue a "No Trespass Order" or Bar Order, I attempted to deescalate this situation by discussing the matter with you. We reached an agreement that would permit you to attend services but would require you to notify cemetery management first so that we could ensure that the employee, who was the subject of your intimidation, would not encounter you. This was a fair and reasonable compromise and you agreed to abide by these restrictions on November 1, 2018.

On November 23, 2018, you broke the agreement by entering VA cemetery property and attending a service without the agreed notification. Because you violated our agreement, the victim of your previous chastisement was present at the service. Your actions and presence caused her much distress. Since you have chosen to violate the agreement, I have no choice but to issue you this Limited Access Order restricting your access to the SFNC.

Effective upon the receipt of this Order, I am limiting your access to the Santa Fe National Cemetery for the next 24 months. Your access is limited as follows, you may enter the SFNC if you notify myself or the Cemetery Administrative Officer, by person-to-person telephone conversation, at least 24-hours in advance of your entry. This exception will allow you to enter the SFNC to attend services. You will provide the notification by calling 505-988-6400. You must speak with either me or the Administrative Officer personally. It is insufficient to leave a voice mail message

EXHIBIT 1

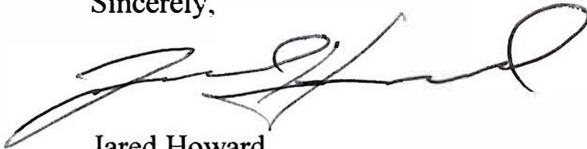
or to have someone else call on your behalf. This reasonable restriction will allow you to attend services in your capacity as a pastor and as a bagpiper, while protecting the victim of your previous encounter.

If you fail to comply with this order, you are subject to prosecution under New Mexico and Federal law. In addition, I will consider imposing a more restrictive No Trespass Order, which will preclude you from entering SFNC property completely.

If you believe that this order is unjustified or too restrictive, you may submit any matters for my consideration. I will fully and carefully consider any matters that you submit to determine if I should modify or lift this order. You must submit any matters within 5 business days of receipt of this order by mail to the address in the letterhead.

I regret that your actions have forced me to limit your access to SFNC. I hoped that our agreement of November 1, 2018 would have resolved the matter. I have a duty to protect VA employees and ensure they can fulfill VA's mission of honoring our Veterans. Since you violated our agreement and indicated you will no longer comply in the future, I have no choice but to issue this Limited Access Order.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Howard', with a large, stylized flourish at the end.

Jared Howard
Director
Santa Fe National Cemetery